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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,899	08/22/2001	Keiko Watanabe	500.40538X00	7412

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EXAMINER

PHAN, THIEM D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/933,899

Applicant(s)

WATANABE ET AL.

Examiner

Tim Phan

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 3729

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuno (US 5,572,382).

**With respect to claims 1, 2, 5 and 6,** Kuno disclose a method for assembling the hard disk

drive (Cf. column 6, lines 23-24), comprising:

- a first step of fixing a magnetic disc apparatus base on which a spindle motor is mounted (Cf. column 6, lines 25-26),
- a next step of mounting a disc -like recording medium to a disc apparatus in a state capable of moving the disc-like recording medium with respect to a hub of a spindle motor or yoke in a direction of a disc radius by having some tolerance between disc

Art Unit: 3729

center hole and rotor yoke diameter (Cf. fig. 4A, elements 16A & 11; column 6, lines 27-30),

- a next step of pressing the disc in a direction of a center axis of the hub so as to bring an inner diameter of the disc into contact with an outer diameter of a rotary axis of the hub, such as +X-direction (Cf. fig. 4A, elements 16A & 11; column 6, lines 42-43),
- a next step of pressing back the disc at an opposite position to the center of the disc in an inverse direction where a moved distance (Cf. fig. 4B, element Sx ; column 6, lines 48-49 & 54-55) is measured and stored, then the disk is moved to a half of an amount of tolerance between the inner diameter of the disc and the outer diameter of the hub, in the +X direction side to the center axis of the hub (Cf. fig. 4B, elements Sx & 11; column 6, lines 56-57),
- and a final step of fixing the disc to the spindle motor hub by a clamp member or fixing ring (Cf. fig. 3, element 18; column 7, lines 27-33).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3729

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuno in view of Schmidt et al (US 4,683,505).

Kuno disclose a method for assembling the hard disk drive, which reads on all of applicant's claimed limitations except for describing a pressurizing means to press the disk toward the center axis of the hub or yoke.

However, Schmidt et al disclose a registration plunger and a registration arm(Cf. fig. 2, elements 58 & 50; column 4, lines 7-9) with a force to drive the disk in a forward direction.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuno's method by applying the process as taught by Schmidt et al in order to move a single disk in a forward direction from opposite sides for disk balancing or alignment.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Application/Control Number: 09/933,899
- Art Unit: 3729
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 703-605-0707. The examiner can normally be reached on Monday - Friday, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter VO can be reached on 703-308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

T.P.

Tim Phan  
Examiner  
Art Unit 3729

tp  
Feb 3, 2003

  
**CARL J. ARBES**  
**PRIMARY EXAMINER**